

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DANA NESSEL, Attorney General of the State  
of Michigan, on behalf of the People of the  
State of Michigan,

Plaintiff,

No. 1:21-cv-01057

HON. JANET T. NEFF

v

ENBRIDGE ENERGY, LIMITED  
PARTNERSHIP, ENBRIDGE ENERGY  
COMPANY, INC., and ENBRIDGE ENERGY  
PARTNERS, L.P.,

Defendants.

---

**PLAINTIFF'S MOTION TO CERTIFY THIS COURT'S AUGUST 18, 2022  
OPINION AND ORDER UNDER 28 U.S.C. § 1292(B)**

Robert P. Reichel (P31878)  
Daniel P. Bock (P71246)  
Assistant Attorneys General  
Attorneys for Plaintiff  
Environment, Natural Resources, and  
Agriculture Division  
P.O. Box 30755  
Lansing, MI 48909  
(517) 335-7664  
reichelg@michigan.gov  
bockd@michigan.gov

Dated: August 30, 2022

On August 18, 2022, the Court entered its Opinion and Order denying the Plaintiff's motion to remand this matter to state court. (ECF No. 23.) Plaintiff believes that the Court's Opinion and Order contains rulings on several controlling issues of law about which there are substantial grounds for disagreement, and that an immediate interlocutory appeal would advance the ultimate termination of the litigation. For this reason, and as set forth more fully in Plaintiff's brief in support of this motion, Plaintiff respectfully requests that the Court certify its Opinion and Order pursuant to 28 U.S.C. § 1292(b).

Respectfully submitted,

/s/ Daniel P. Bock

Robert P. Reichel (P31878)

Daniel P. Bock (P71246)

Assistant Attorneys General

Attorneys for Plaintiff

Environment, Natural Resources, and  
Agriculture Division

P.O. Box 30755

Lansing, MI 48909

(517) 335-7664

reichelb@michigan.gov

bockd@michigan.gov

Dated: August 30, 2022

LF: Enbridge Straits (AG v)/AG #2019-0253664-C-L/Motion for Certification 2022-08-30